

Atty. Docket 24347-051 US
USSN 09/845,016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Jacques M. Dulin, et al.

Examiner: Jacques H Louis-Jacques
Primary Examiner, GAU 3661

Application SN: 09/845, 016

GAU: 3661

Date Filed: April 27, 2001

Tel: 703 - 305 - 9757

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OFFICE OF PETITIONS

**FOR: HOT VEHICLE SAFETY SYSTEM AND METHODS OF PREVENTING
PASSENGER ENTRAPMENT AND HEAT SUFFOCATION**

Petition Filed by Fax to: (703) 872-9306

Date Faxed: Sept 26, 2003

Certification under 37 CFR 1.8 and 1.6 (d)		
Facsimile Date: <u>Sept 26, 2003</u>	Facsimile No: <u>703-872-9306</u>	Total Pages: <u>2</u>
I hereby certify that the correspondence attached hereto is being transmitted under 37 CFR 1.6(d), on the above stated date to the U.S. Patent and Trademark Office sent to the above facsimile number.		
Name: <u>Jana L. Dulin</u>	Signature: <u>Jana L. Dulin</u>	

**Petition Under Rule 78(a)(2) for Unintentionally Delayed Claim of CIP Status
And to Accord This Case the Effective Filing Date of Parent Application**

MAIL STOP PETITION

Assistant Commissioner for Patents
P O Box 1450
Arlington, VA 22313-1450

Sir:

This is Applicants' Petition for Unintentionally Delayed Claim of CIP Status under Rule 78(a)(2).

Petition Fee -- Deposit Account Authorization:

The Petition fee of \$1300 is authorized to be charged to Deposit Account 04-1699. In the event this is in error, any deficiency in the fee under 37 CFR 1.17(t) may be charged to Deposit Account 04-1699 of undersigned counsel, or any excess credited to that Deposit Account. Please identify any transaction with counsel's docket number 24347-051US to facilitate our record keeping.

Petition Statement:

The entire delay between the date the claim for priority, from parent SN 09/325,242 filed June 3, 1999, was due under paragraph (a)(2)(ii) of Rule 78 (August 27, 2001), and the date the claim was filed (May 9, 2003), was unintentional.

Declaration:

24347-051US 09-25-03
00000001 04-1699
1330.00 US

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A Supplemental Declaration of all the inventors in this case heretofore has been filed on May 9, 2003 in this application and entered in the case. This application has been assigned to Robert Bosch Corporation, the assignee of the parent application.

Cross-Reference to Related Application:

The Specification of this Application was amended on May 9, 2003 to add a Cross-Reference to the parent application SN 09/325,242 filed June 3, 1999 and the claim of priority therein.

Compliance With Rule 78:

It is clear that the delay in the CIP status claim was unintentional since the original application, as of its filing date of April 27, 2001, referred to and incorporated by reference the prior parent application SN 09/325,242 filed June 3, 1999.


There is copendency and common inventorship. The Parent Application SN 09/325,242 was filed in the name of Dr. Ralf Seip and Russell C. Watts as inventors. This application includes Dr. Seip as a common inventor, as required by Rule 78(a)(1), and adds Jacques M. Dulin as a co-inventor. The parent application issued on November 6, 2001 as US Patent 6,314,380. Since this application was filed on April 27, 2001, there is copendency of 6 ½ months. Thus, the conditions of Rule 78(a)(2), and MPEP 201.08 and 201.11, have been satisfied.

CONCLUSION

Grant of the Petition is respectfully urged. In the event that the Petition is incomplete please immediately contact undersigned counsel at 360-681-7305 so that prompt correction can be made.

Respectfully submitted,
Jacques M. Dulin
Ralf Seip

Date: September 25, 2003

by: 
Jacques M. Dulin, Reg. No. 24,067
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